

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of Application No. 2002-01

BP West Coast Products LLC

BP Cherry Point Cogeneration Project

**Notice of Reconvened Land-Use and
Adjudicative Hearings:**

**July 26, 2004, 10:00 A.M.
Seattle, Washington**

The Application - On June 10, 2002, BP West Coast Products, L.L.C. (BP) submitted an application to the Washington State Energy Facility Site Evaluation Council (EFSEC or Council) to construct and operate the BP Cherry Point Cogeneration Project (Project), a 720-megawatt natural gas-fired combustion turbine electrical cogeneration facility. Associated with the Project will be a 1,400-foot natural gas pipeline and an approximately 0.8 mile electrical transmission line. To integrate the new power generation into the transmission grid, Bonneville Power Administration (Bonneville) may need to re-build 4.7 miles of an existing 230-kV transmission line. The proposed Project will be located within Whatcom County, near the community of Birch Bay.

EFSEC and Bonneville are conducting an environmental review of the Project, and issued a joint Draft Environmental Impact Statement (DEIS) for public comment under the Washington State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA) on September 5, 2003. A final EIS will be issued following the close of EFSEC's adjudicative proceeding.

More specific information about the project is available from EFSEC's office or from reviewing the application at public libraries in Whatcom County, and in Surrey and White Rock, British Columbia, Canada. Information regarding the project is also on EFSEC's internet site at: www.efsec.wa.gov.

Procedural Background - In December 2003 EFSEC convened a Land-Use Hearing and an Adjudicative Hearing in Bellingham, Washington, pursuant to the requirements of Chapter 80.50 of the Revised Code of Washington, and Title 463 of the Washington Administrative Code. The purpose of these hearings was to determine if the proposed BP Cherry Point Cogeneration Project was consistent with Whatcom County or regional land-use plans and zoning ordinances, and to hear testimony from witnesses and the public regarding the potential impacts of the Project. At the conclusion of the hearing, the Council set out a schedule for Parties' submittal of post hearing briefs that would allow the Council to conclude its review of the Project, and make a recommendation to the Governor of Washington State whether the proposal should be approved or denied.

On January 29, 2004, BP West Coast Products and Whatcom County jointly requested that the Council defer any ruling on Land-Use Consistency, and its recommendation to the Governor, pending discussion between the Applicant and the Party to reach a mutually acceptable solution regarding the remaining outstanding issues. On February 9, 2004, the Council granted a delay in the time for making its decision in

order to encourage settlement between these parties. On July 9, 2004, the Applicant submitted a settlement agreement with Whatcom County to EFSEC for Council consideration.

Notice of Reconvened Land-Use Hearing and Adjudicative Hearing – On July 26, 2004, the Council will reconvene the Land-Use Hearing and the Adjudicative Hearing in this matter to consider the Settlement Agreement between the Applicant and Whatcom County, to render a decision regarding Land-Use Consistency for the BP Cherry Point Cogeneration Project, and to establish a new post-hearing briefing schedule. The Land-Use Hearing and Adjudicative Hearing will be reconvened at the following time and location:

Monday, July 26, 2004, Starting at 10:00 A.M.
Attorney General's Office
Union Bank of California Center
Training Center, Suite 2430
900 4th Avenue, 24th Floor
Seattle, Washington 98164

A tele-conference line will also be available for the Public and other Parties to participate by phone during this hearing. To participate by phone, interested persons must call into the following number at 10:00 A.M., July 26, 2004: **(360) 956-2226**.

The Council expects that a recommendation to approve or deny this proposal would be made to the Governor of Washington State in the fall of 2004.

Additional Information - For additional information about the EFSEC review of the BP Cherry Point Cogeneration Project, please contact:

Irina Makarow
EFSEC Siting Manager
P.O. Box 43172
Olympia, WA, 98504-3172
(360) 956-2047
efsec@ep.cted.wa.gov.

If you require additional information, special assistance, the assistance of a translator, or auxiliary aids to participate in the meeting, please contact Tammy Talburt, EFSEC Office Assistant, at (360) 956-2122 as soon as possible. For TDD, call (360) 586-4224.

Dated at Olympia, Washington this 12th day of July 2004.

Washington State Energy Facility Site Evaluation Council
By: _____
Allen J. Fiksdal
EFSEC Manager